

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GREGORY MILES BARTLETT,

Plaintiff,

-against-

TRIBECA LENDING CORP; FRANKLIN
MORTGAGE ASSET TRUST 2009A,

Defendants.

1:21-CV-9116 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated January 29, 2016, the court barred Plaintiff from filing any future civil action in this court regarding his 2007 state-court foreclosure action without first obtaining permission from the court to file. *See Bartlett v. Tribeca Lending Corp.*, ECF 1:15-CV-6102, 11 (S.D.N.Y. Jan. 29, 2016). Plaintiff files this new *pro se* action seeking to proceed *in forma pauperis* (“IFP”) and requesting permission to file this action in which he asks this Court to void a judgment issued on September 10, 2008, in his 2007 state-court foreclosure action.

The Court, having reviewed Plaintiff’s request to file this action made pursuant to the court’s January 29, 2016 order in *Bartlett*, 1:15-CV-6102, denies that request because Plaintiff fails to show that this new action is a departure from his history of bringing vexatious and nonmeritorious litigation in this court concerning his 2007 state-court foreclosure action. Accordingly, the Court also denies Plaintiff’s application to proceed IFP and dismisses this action without prejudice under the court’s January 29, 2016 order in *Bartlett*, 1:15-CV-6102. *See Dorce v. City of New York*, 2 F.4th 82, 101 (2d Cir. 2021) (“The *Rooker-Feldman* doctrine bars federal district courts from hearing cases that in effect are appeals from state court judgments, because the Supreme Court [of the United States] is the only federal court with jurisdiction over such cases.”).

CONCLUSION

The Court denies Plaintiff's request for permission to file this action, as well as his IFP application, and dismisses this action without prejudice under the court's January 29, 2016 order in *Bartlett v. Tribeca Lending Corp.*, ECF 1:15-CV-6102, 11 (S.D.N.Y. Jan. 29, 2016).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

Plaintiff has consented to electronic service of court documents. (ECF 3.)

SO ORDERED.

Dated: November 23, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge